

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	
ASHLEY M. REISZ, LPN	:	FINAL ORDER
License # 26NF 06671200	:	OF DISCIPLINE
	:	
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made

FINDINGS OF FACT

1. Ashley M. Reisz ("Respondent") is a Licensed Practical Nurse in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On or about April 28, 2013, Respondent completed and submitted an online biennial renewal application. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2013," referring to the biennial renewal period of

June 1, 2011 to May 31, 2013. Respondent answered "Yes" and certified that answer by submitting the online application.

3. Upon receipt of information indicating that Respondent was arrested on March 18, 2015 by the Lacey Township Police for violation of N.J.S.A. 2C:12-1A (Simple Assault), the Board sent a letter of inquiry requesting certain information and documents regarding the criminal matter, Respondent's nursing practice, and continuing education to Respondent's address of record in Forked River, New Jersey, via regular and certified mail on or about March 23, 2015. The regular mailing was not returned. The certified mailing was returned as "Unclaimed."

4. Respondent replied with two submissions. She indicated that the criminal charge was the result of a domestic violence/family court matter between her and the father of her children. She provided a copy of the court disposition showing that the criminal charge was dismissed. She also provided proof of completion of the following continuing education:

0 hours within the 6/1/11 - 5/31/13 biennial period; and
60 hours within the 6/1/13 - 5/31/15 biennial period.

Respondent failed to provide a copy of the police report, municipal court complaint/accusation/indictment, name and address of current nursing employer, job title, dates of employment, shift, type of unit worked, copy of most recent

performance evaluation, and a narrative statement of the conduct which led to her arrest.

5. On or about April 9, 2015, Respondent completed and submitted an online biennial renewal application. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2015," referring to the biennial renewal period of June 1, 2013 to May 31, 2015. Respondent answered "Yes" and certified that answer by submitting the online application.

CONCLUSIONS OF LAW

Respondent's failure to fully respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct pursuant to N.J.S.A. 45:1-21(e) and also subjects Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Pursuant to N.J.A.C. 13:37-5.3(b), nurses are required to complete a minimum of thirty (30) hours of continuing education during the preceding biennial period in order to renew their licenses. Pursuant to N.J.A.C. 13:37-5.3(f), nurses are required to maintain documentation of completion of continuing education for a period of four years after completion, and shall submit such documentation to the Board upon request.

Respondent failed to demonstrate, to the satisfaction of the Board, that Respondent completed the continuing education credits required for renewal during the biennial period of June 1, 2011 to May 31, 2013. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3(b) and 13:37-5.3(f), which in turn subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h). Respondent may apply 30 of the 60 hours completed in April 2015 to cure the deficiency of the June 1, 2011 - May 31, 2013 biennial period. Respondent may not carry over any hours to the June 1, 2015 - May 31, 2017.

Respondent's use of dishonesty and misrepresentation during the 2013 license renewal process in falsifying her continuing education information constitutes a violation of N.J.S.A. 45:1-21(b), subjecting Respondent to sanctions.

DISCUSSION

On September 3, 2015, the Board filed a Provisional Order of Discipline ("POD") based upon Respondent's failure to fully respond to the Board's letter of inquiry about her March 18, 2015 arrest and failure to complete and provide documentation of continuing education. The POD seeks a reprimand, \$750 penalty (\$500 for failure to cooperate with a Board investigation and \$250 for failure to timely complete continuing education) and a

suspension until Respondent fully responds to the Board's inquiry and demonstrates all required continuing education to date.

Respondent responded to the POD and provided most of the information requested in the Board's letter of inquiry. Respondent also provided proof of timely completion of all continuing education. The Board was persuaded that the submitted materials merited modification of the POD by eliminating the suspension and \$250 penalty but maintaining the \$500 penalty. Respondent's failure to timely respond to the letter of inquiry necessitated the filing of the POD with the concomitant expenditure of time, effort and resources.

ACCORDINGLY, IT IS on this 22nd day of March, 2016,
ORDERED that:

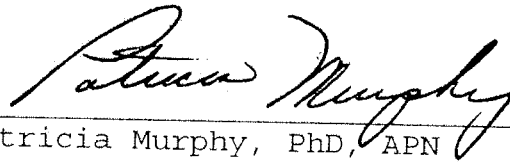
1. Respondent is assessed a civil penalty in the amount of five hundred dollars (\$500) for failure to cooperate with a Board investigation.

2. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to State Board of Nursing, Attention: Leslie Burgos, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New

Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of this **Final Order of Discipline**. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

NEW JERSEY STATE BOARD OF NURSING

By:

A handwritten signature in cursive script, appearing to read "Patricia Murphy", written over a horizontal line.

Patricia Murphy, PhD, APN
Board President